

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON D.C., 20460



Office of Prevention,
Pesticides and Toxic
Substances

PC Code: 121601
DP Barcode: 366846
Date: September 22, 2009

MEMORANDUM

SUBJECT: Review of Waiver Request for Freshwater Diatom Study (Guideline 123-2) for Acetochlor, PC Codes 121601

TO: Erik Kraft, Risk Manager Reviewer
James Tompkins, RM13
Herbicide Branch
Registration Division (7505P)

FROM: Joseph DeCant, Ecologist
Environmental Risk Branch 5
Environmental Fate and Effects Division (7507P)
Joseph P. DeCant 09/22/09

THRU: *Mah Shamim* Mah Shamim, Branch Chief
Environmental Risk Branch 5
Environmental Fate and Effects Division (7507P)
Allen W. Vaughan 09/22/09

EFED has received the letter from the Acetochlor Registration Partnership concerning "Acetochlor (EPA Reg. No. 66478-1), Harness EC (EPA Reg. No. 524-473) Waiver Request for Freshwater Diatom Study (Guideline 123-2)" dated June 15, 2009 (MRID 47787301). The Acetochlor Registration Partnership is requesting a waiver for a new study to satisfy the OPPTS guideline 850.5400 Algal Toxicity, Tiers I and II, for *Navicula pelliculosa*. They state that they have already submitted a study (MRID 42713108) that examines the toxicity of acetochlor to *N. pelliculosa* that satisfies the new draft OPPTS 850.5400.

The previously submitted study was received by EFED and was classified as supplemental. The reviewer reported that the study was conducted over a period of four days, which was short of the five days recommended by the guideline 123-2. As a result, it did not satisfy the guideline and a new study was requested that assessed the toxicity of acetochlor to *N. pelliculosa* over a period of five days.

EFED concurs with the Acetochlor Registration Partnership regarding the value added from a



new study on the toxicity of acetochlor to *N. pelliculosa*. The previously submitted study was conducted according to the 850.5400 guideline of a 96-hour toxicity test. In addition, other aquatic non-vascular plant species provide more conservative estimates of toxicity, which can be used in place of *N. pelliculosa* in the risk assessment process.